

GOTLIB LAW

July 11, 2025

Via ECF & Email

The Honorable Paul A. Engelmayer
United States District Court Judge
U.S. District Court for the Southern District of New York
40 Foley Square
New York, New York 10007
(Email: EngelmayerNYSDChambers@nysd.uscourts.gov)

Re: *United States v. Phillibert*, 15 Cr. 647 (PAE)

Dear Judge Engelmayer,

I write to respectfully request a one-month adjournment of the July 14, 2025 evidentiary hearing in the above-captioned violation of supervised release proceeding. The government takes no position on this request. The reason for the requested adjournment is to afford Mr. Phillibert additional time to review the discovery produced in this matter, some of which was first produced to the defense this week and has not yet been received by Mr. Phillibert at MDC, where he is currently detained. It appears unlikely that Mr. Phillibert will receive the materials prior to July 14, 2025. Mr. Phillibert believes that he could review all the materials within a week of receiving them. However, the undersigned is scheduled to be in another state from July 15 through August 9, 2025. If the Court is inclined to grant an adjournment shorter than the requested one-month, the undersigned will make the necessary arrangements to be present at any date chosen by the Court. I thank the Court for its consideration.

Respectfully Submitted,

/s/

Valerie A. Gotlib

Cc: All counsel of record (*via ECF*)

U.S. Probation Officer Robert Harris (*via Email*)

Khani Phillibert (*via Email*)

DENIED. It is inconceivable that defense counsel did not know before today of the defendant's claim to have lacked access to discovery, and a request by the defendant for an adjournment on this purported basis responsibly should have been made before today. The defendant's last-minute request for an adjournment on that basis strikes the Court as abusive. Monday's hearing will proceed as scheduled, beginning with a Faretta colloquy. Following that colloquy, the Court will take up whether there is good cause to adjourn the hearing. Counsel, however, should be prepared to proceed with the evidentiary hearing on Monday. If the hearing is adjourned, it will likely be adjourned for one week only. The Clerk of Court is requested to terminate the motion at Dkt. No. 108. SO ORDERED.

7/11/2025


PAUL A. ENGELMAYER
United States District Judge